

Motion to Sever or Bifurcate

Docketing Event

- Bankruptcy> Motions/Applications/Objections> Motion to Sever (or Bifurcate) Chapter 11 Case
 - Bankruptcy> Motions/Applications/Objections> Motion to Sever (or Bifurcate) Chapter 12 Case
 - Bankruptcy> Motions/Applications/Objections> Motion to Sever (or Bifurcate) Chapter 13 Case
 - Bankruptcy> Motions/Applications/Objections> Motion to Sever (or Bifurcate) Chapter 7 Case
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Negative Notice: N/A

Accompanying Orders: N/A

Code and Rule References:

[28 U.S.C. § 1930\(a\)](#)

Fee: For a Chapter 11 case, the filing fee is \$1,717. For a Chapter 12 case, the filing fee is \$275. For a Chapter 13 case, the filing fee is \$310. For a Chapter 7 case the filing fee is \$335.

Applicable Chapters: 7, 11, 12, 13

Implemented: 10/26/17

Last Revision: 10/26/2017 11:27:09 AM

Description

When one debtor in a joint case wants to sever from the original case, that debtor may file a motion to sever (sometimes called motion to bifurcate). The debtor in a joint case may also seek to convert to another chapter simultaneously. This can be done by filing a motion to convert one joint debtor or notice of conversion of one joint debtor. The joint case must be split into two individual cases to convert the one debtor.

If the intention of pending joint debtors is only to dismiss one spouse, no bifurcation is required.

Filing Checklist

Review the motion to determine if it:

- ☐ Is signed;
- ☐ Has the attorney's name and address complete and consistent with the filing attorney's name and address in CM/ECF;
- ☐ Is properly served and includes a proper certificate of service;
 - ❖ **Note:** Ensure the filing fee is paid.